

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

OCT 21 2019

JULIA C. DUDLEY, CLERK  
BY: *A. Becen*  
DEPUTY CLERK

TIMOTHY P. FLINN,

Plaintiff,

v.

DEUTSCHE BANK TRUST COMPANY  
AMERICA, et al.,

Defendants.

Civil Action No. 3:19CV00059

**DISMISSAL ORDER**

By: Hon. Glen E. Conrad  
Senior United States District Judge

This case is presently before the court on the plaintiff's notice of voluntary dismissal. Pursuant to Rule 41 of the Federal Rules of Civil Procedure, a plaintiff has an absolute right to voluntarily dismiss an action before a defendant files an answer or a motion for summary judgment. See Fed. R. Civ. P. 41(a)(1)(A)(i). Because no answer or motion for summary judgment has been filed in the instant case, the plaintiff is entitled to voluntary dismissal as a matter of right. Accordingly, it is hereby

**ORDERED**

that this action is **DISMISSED WITHOUT PREJUDICE** and shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this order to all counsel of record.

DATED: This 21<sup>st</sup> day of October, 2019.

*Glen Conrad*  
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Senior United States District Judge